

CLEAN WATER ACT2-D. Procedures for Decision-Making Applicable to EPA Administered National Pollutant Discharge Elimination System Permits

1. **AUTHORITY.** To take all procedural actions enumerated under 40 C.F.R. Part 124, Subparts A and D necessary to issue, modify, or revoke and reissue individual and general NPDES permits.
2. **TO WHOM DELEGATED.** Chief, Clean Water Branch.
3. **LIMITATIONS.**
 - a. The authority to consolidate processing of permit applications from a facility requiring a permit under more than one statute under 40 C.F.R. § 124.4 is retained by the regional administrator.
 - b. The authorities pertaining to permit termination decisions under 40 C.F.R. § 124.5 are retained by the regional administrator and delegated per Delegation 2-E.
 - c. The authority to give public notice of draft NPDES general permit decisions under 40 C.F.R. § 124.10, and to give public notice of final NPDES general permit decisions for purposes of judicial review under 40 C.F.R. § 23.2, is retained by the regional administrator and delegated per Delegation 1-21.
 - d. The authority to hold a public hearing and designate a presiding officer under 40 C.F.R. § 124.12 is retained by the regional administrator.
 - e. The authority to issue a final NPDES permit decision under 40 C.F.R. § 124.15(a) is retained by the regional administrator and delegated per Delegation 2-20.
 - f. The authority to take action on variances under 40 C.F.R. §§ 124.62 to 124.66 is retained by the regional administrator.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the section chief level, or equivalent, and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. EPA NPDES Permit Writers' Manual.

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- b. Delegation 1-21, Federal Register; Delegation 2-20, National Pollutant Discharge Elimination System; Delegation 2-25, Section 301(g) Permit Variances; Delegation 2-26, FDF Permit Variances; Delegation 2-E, National Pollutant Discharge Elimination System Permit Termination Decisions.



Darcy O'Connor, Director
Water Division

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Date